

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 26 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

HARVINDER KAUR,

Petitioner,

v.

ALBERTO GONZALES,* Attorney General,

Respondent.

No. 03-72994

Agency No. A78-361-157

MEMORANDUM**

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted October 17, 2005
San Francisco, California

Before: TROTT and RYMER, Circuit Judges, and PLAGER***, Senior Judge.

* Alberto Gonzales is substituted for his predecessor, John Ashcroft, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

** This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

*** The Honorable S. Jay Plager, Senior U.S. Circuit Judge for the Federal Circuit, sitting by designation.

Harvinder Kaur, a native and citizen of India, petitions for review of the Board of Immigration Appeals' summary affirmance of an immigration judge's ("IJ") denial of her application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, Li v. Ashcroft, 378 F.3d 959, 962 (9th Cir. 2004), and we deny the petition for review.

Substantial evidence supports the IJ's credibility finding. One of the central inconsistencies (regarding continuing police interest and harassment) identified by the asylum officer--who testified and explained his notes and note-taking procedures--between Kaur's application and statements under oath to the officer was specific and went to the heart of her claim. See id. at 962-63.

Because Kaur failed to demonstrate eligibility for asylum, she necessarily fails to satisfy the more stringent standard for withholding of removal. See Farah v. Ashcroft, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.